REVISED EXHIBIT K

REQUIRED FORMS

ANNUAL AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS

Affidavit Effective Date: Affidavit Expiration Date:	
Maximum Leng	th One-Year

REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS

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FOR BIDS AND CONTRACTS IN GENERAL:

- 1. Each bidder or offeror swears and affirms under penalty of perjury, that to the best of their knowledge:
 - a. In accordance with <u>KRS 45A.110</u> and <u>KRS 45A.115</u>, neither the bidder or offeror as defined in <u>KRS 45A.070(6)</u>, nor the entity which he/she represents, has knowingly violated any provisions of the campaign finance laws of the Commonwealth of Kentucky; and the award of a contract to the bidder or offeror or the entity which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.
 - b. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and all subcontractors therein, are aware of the requirements and penalties outlined in <u>KRS 45A.485</u>; have properly disclosed all information required by this statute; and will continue to comply with such requirements for the duration of any contract awarded.
 - c. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and its affiliates, are duly registered with the Kentucky Department of Revenue to collect and remit the sales and use tax imposed by <u>KRS Chapter 139</u>, and will remain registered for the duration of any contract awarded.
 - d. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding is not delinquent on any state taxes or fees owed to the Commonwealth of Kentucky and will remain in good standing for the duration of any contract awarded.
 - e. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding, is not currently engaged in, and will not for the duration of the contract engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which Kentucky can enjoy open trade, as defined in Executive Order No. 2018-905.
 - f. The bidder or offeror swears and affirms that the entity bidding, and all subcontractors therein, have not violated any of the prohibitions set forth in KRS 11A.236 during the previous ten (10) years, and further pledge to abide by the restrictions set forth in such statute for the duration of the contract awarded.

FOR "NON-BID" CONTRACTS (I.E. SOLE-SOURCE; NOT-PRACTICAL OR FEASIBLE TO BID; OR EMERGENCY CONTRACTS, ETC):

- II. Each contractor further swears and affirms under penalty of perjury, that to the best of their knowledge:
 - a. In accordance with <u>KRS 121.056</u>, and if this is a non-bid contract, neither the contractor, nor any member of his/her immediate family having an interest of 10% or more in any business entity involved in the performance of any contract awarded, have contributed more than the amount specified in <u>KRS 121.150</u> to the campaign of the gubernatorial slate elected in the election last preceding the date of contract award.

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- b. In accordance with KRS 121.330(1) and (2), and if this is a non-bid contract, neither the contractor, nor officers or employees of the contractor or any entity affiliated with the contractor, nor the spouses of officers or employees of the contractor or any entity affiliated with the contractor, have knowingly contributed more than \$5,000 in aggregate to the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract award.
- c. In accordance with <u>KRS 121.330(3) and (4)</u>, and if this is a non-bid contract, to the best of his/her knowledge, neither the contractor, nor any member of his/her immediate family, his/her employer, or his/her employees, or any entity affiliated with any of these entities or individuals, have directly solicited contributions in excess of \$30,000 in the aggregate for the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract.

As a duly authorized representative for the bidder, offeror, or contractor, I have fully informed myself regarding the accuracy of all statements made in this affidavit, and acknowledge that the Commonwealth is reasonably relying upon these statements, in making a decision for contract award and any failure to accurately disclose such information may result in contract termination, repayment of funds and other available remedies under law. If the bidder, offeror, or contractor becomes non-compliant with any statements during the affidavit effective period, I will notify the Finance and Administration Cabinet, Office of Procurement Services immediately. I understand that the Commonwealth retains the right to request an updated affidavit at any time.

Signature	Printed Name
Title	Date
Company Name	A I
Address	
Commonwealth of Kentucky Vendor Code	: (if known)
Subscribed and sworn to before me by	(Affiant) (Title)
	(Attain) (Thic)
(Company Name)	thisday of,20
Notary Public	
[seal of notary]	My commission expires:

VENDOR REPORT OF PRIOR VIOLATIONS ON CONSTRUCTION SEALED BIDS

This form is applicable to all sealed bids for construction projects issued by the Finance and Administration Cabinet, Division of Engineering and Contract Administration (DECA) in accordance with KRS 45A.080.

The Prime Bidder on any construction sealed bid shall provide the required information attached, for the Prime Bidder, as an attachment to the bid.

The information required is specifically - any violations issued within the last five (5) calendar years of the following:

- 1. Violations of KRS Chapter 136 (Corporation and Utility Taxes);
- 2. Violations of KRS Chapter 139 (Sales and Use Taxes);
- 3. Violations of KRS Chapter 141 (Income Taxes);

COMPANY NAME:

1984 OR EMAIL: wages@ky.gov.

- 4. Violations of KRS Chapter 337 (Wages and Hours);
- 5. Violations of KRS Chapter 338 (Occupational Safety and Health of Employees);
- 6. Violations of KRS Chapter 341 (Unemployment Insurance);
- 7. Violations of KRS Chapter 342 (Workers Compensation); and
- 8. Violations of Occupational Safety and Health Laws in any other states and at the federal level.

If there are no violations for a particular category, vendor should attach a statement to that effect.

If there are violations for a particular category, the vendor should list them and provide the following information for each: the date of the violation, a short description of the violation (including statutory citation), the name of the governmental enforcement agency involved, and the amount of any penalties imposed as a result of the final determination.

Please note that this information may be provided to other governmental agencies, such as the Kentucky Labor Cabinet, as part of the bid process. DECA reserves the unqualified right to disqualify any vendors from participating further in this bid process.

In addition, the successful prime bidder and subcontractors shall remain in continuous compliance with KRS 45A.485 during the life of any contract awarded, and shall notify DECA of any new final determinations of violations in any of the above-mentioned categories, which occur after contract award, and during the life of any contract awarded. Failure to comply with these requirements may result in the bidder and subcontractors being disqualified from participating in future bid opportunities for the Commonwealth.

TAX PAYER ID #:	
	ATION FORM MAY BE SENT TO THE LABOR CABINET FOR VERIFICATION. PLEASE MAKE SURE
	IONS ISSUED WITHIN THE LAST FIVE (5) YEARS ARE LISTED. IF YOU LIST "NONE" BUT THE
LABOR CABINET'S	RECORDS SHOW OTHERWISE, YOUR BID MAY BE REJECTED, FOR A LIST OF YOUR VENDOR

VIOLATIONS, YOU CAN FAX OR EMAIL THE LABOR CABINET WITH YOUR REQUEST. FAX NUMBER IS (502) 696-

Violation Category Date Description Govt. Enforcement Agency Amount of Penalties

Agency

IMPORTANT - THIS SECTION MUST BE READ, SIGNED, NOTARIZED, AND RETURNED WITH THE PHASE I SUBMISSION:

SWORN STATEMENT REGARDING CAMPAIGN FINANCE LAWS PURSUANT TO KRS 45A.11D AND KRS 45A.115

All persons having ownership in the offered property shall provide a sworn statement regarding campaign finance laws pursuant to KRS 45A.110 and KRS 45A.115. If the property owner is a corporation or business trust, a duly designated and authorized agent shall complete this required statement. (Please use extra sheets if necessary.)

The undersigned hereby swears or affirms, under the penalty prescribed by law for perjury, that neither he/she, individually, nor, to the best of his/her knowledge and belief, the corporation, partnership, or other business entity which he/she represents, has knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky, and that the award of a contract to him/her, individually, or to the corporation, partnership or other business entity which he/she represents, will not violate any campaign finance laws of the Commonwealth.

OFFEROR/OFFEROR:	OFFEROR/OFFEROR:
(Signature)	(Signature)
(Title, if applicable)	(Title, if applicable)
(Name of Company, if applicable)	(Name of Company, if applicable)
OFFEROR/OFFEROR:	OFFEROR/OFFEROR:
(Signature)	(Signature)
(Title, if applicable)	(Title if applicable)

REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS

FOR BIDS AND CONTRACTS IN GENERAL:

The bidder or offeror hereby swears and affirms under penalty of perjury that, in accordance with KRS 45A.494(2), the entity bidding is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:

- 1. Is authorized to transact business in the Commonwealth;
- 2. Has for one year prior to and through the date of advertisement
 - a. Filed Kentucky corporate income taxes;
 - Made payments to the Kentucky unemployment insurance fund established in KRS 341.49;
 and
 - c. Maintained a Kentucky workers' compensation policy in effect.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

Signature	Printed Name	
Title	Date	
Company Name		
Address		
Subscribed and sworn to before me by	(Affiant) (Title)	
of	thisday of20	
(Company Name)		
Notary Public		
[seal of notary]	My commission expires:	

OFFICIAL BID DOCUMENT

AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

I, HEREBY CERTIFY:

- 1. That I am the bidder (if the bidder is an individual), a partner in the bidder (if the bidder is a partnership), or an officer and employee of the bidding corporation having authority to sign on it's behalf (if the bidder is a corporation);
- 2. That the submitted bid or bids covering Division of Engineering and Contract Administration Request for Bid No. «Invitation» have been arrived at by the bidder independently and have been submitted without collusion with, and without any agreement, understanding or planned common course of action with any other contractor, vendor of materials, supplies, equipment or services described in the Request for Bid, designed to limit independent bidding or competition; as prohibited by provision KRS 45A.325;
- 3. That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder, its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids.
- 4. That the bidder is legally entitled to enter into the contract with the Commonwealth of Kentucky and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 164.390; and 45A.330 to 45A.340 and 45A.455;
- 5. This offer is for thirty (30) calendar days from the date this bid is opened. In submitting the above it is expressly agreed that upon proper acceptance by the Division of Engineering and Contract Administration of any or all items bid above, a contract shall thereby be created with respect to the items accepted;
- 6. That I have fully informed myself regarding and affirm the accuracy of all statements made in this Official Bid Document including Bid Amount.
- 7. Unless otherwise exempted by KRS 45.590, the bidder intends to comply in full with all requirements of the Kentucky Civil Rights Act and to submit data required by the Kentucky Equal Employment Act upon being designated the successful bidder.
- 8. That the bidder, if awarded a contract, would not be in violation of the Executive Branch Code of Ethics established by KRS 11A.001 through KRS 11A.990.
- 9. That the bidder is not debarred from doing business with federal agencies and that, if debarred during the life of the contract, the bidder will notify the Commonwealth buyer of record within seventy-two (72) hours of the federal debarment.

READ CAREFULLY - SIGN IN SPACE BELOW - FAILURE TO SIGN INVALIDATES BID

SIGNED BY:	FIRM:		
RINT NAME:	ADDRESS:		
TTLE:			
ATE:	CITY	STATE	ZIP CODE
AIE.	TELEPHONE	: NO:	
FEDERAL ID. NO. OR SOCIAL SECURITY NO.	EMAIL:		
			_
*Disadvantaged Contract WBE MBE DBE	ors, check type of SERVICE-DIS	certification: SABLED VETERAN	1

*Disadvantaged Contractors attach a copy of certification.